

70. CONCRETE SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS

70.01. License Required. No person shall engage in the business of building or rebuilding sidewalks, driveways, and curbs and gutters in the streets, alleys, and public grounds within the city without first being licensed under this chapter.

70.02. License Application. Any person desiring to engage in the business of building or rebuilding concrete or asphalt sidewalks, driveways, and curbs and gutters in the city shall apply to the council for a license to carry on said business, stating therein the applicant's name and place of business, including street and house number. The applicant shall also provide sufficient information to establish that it has the ability to perform this work. At the first meeting of the council held thereafter, the city clerk shall present the applicant for action.

70.03. License; Bond or Insurance. No license shall be granted until the city council determines that the applicant possesses the ability to perform the work, and a certificate of general liability and motor vehicle insurance and a bond in an amount established by resolution of the council and approved as to form by the city attorney are filed with the city clerk. The bond shall be conditioned to save harmless the city from any claims against it arising out of the construction by the licensee of any sidewalk or other structure whether for the city or for a private person.

70.04. License: Fee. The annual fee, including any additional fees for late renewal, for a license to build or rebuild concrete or asphalt sidewalks, driveways and curbs and gutters in the streets, alleys and public grounds of the city shall be established by resolution of the city council. All licenses shall expire on December 31 of the license year unless sooner suspended or revoked by the council.

70.05. Revocation or Suspension of Licenses. Subdivision 1. The council may suspend or revoke a license issued under this chapter for any of the following reasons:

- (1) Giving false information in connection with the application for a license.
- (2) Incompetence of the licensee.
- (3) Willful violation of any provisions of this ordinance or any regulation pertaining to the making of connections, including the failure to maintain bonds and insurance as required by this chapter.

Subdivision 2. Whenever it appears to the council that adequate grounds may exist for the suspension or revocation of a specific license granted under this chapter, the council shall order a hearing to be held upon notice to the licensee. The notice of hearing shall specify the nature of the alleged grounds upon which such action may be taken and shall be mailed to the licensee a reasonable period of time prior to the scheduled hearing. Following the hearing the council shall determine whether the licensee has engaged in conduct in violation of Subd. 1 of this section. Upon a finding that a violation has occurred, the council may either:

- (a) suspend the license for a period of up to 60 days; or,
- (b) revoke the license; or,
- (c) impose such other conditions as it determines will ensure licensee's continued compliance with the provisions of this chapter.

70.06. Permit Required. No person shall begin any work without first securing a permit, issued by the city engineer. The permit fee shall be as established by resolution of the city council.

70.07. Property Owners. Property owners may make repairs on sidewalks in front of their respective properties by obtaining a permit from the city engineer without any bond requirement.

70.08. Measuring Materials. Concrete shall be from Plant-mixed suppliers and the construction shall be in accord with the specifications approved by the city engineer and the council and on file in the office of the city clerk.

70.09. Work Let on Contract. No license or permit shall be required of a general contractor on construction or reconstruction in streets, alleys and public grounds, where the council lets the above work by contract on approved plans and specifications.

70.10. Marking of Work. All contractors shall be required to use a suitable stamp for marking the completed concrete work, such stamp to include their name and the year in which the work was completed.

70.11. Penalty. A violation of this chapter shall be punishable by a fine of not to exceed \$1,000.00 or Imprisonment for not to exceed 90 days, or both.

(66, 12/1/47; 685, 6/7/48; 686, 7/6/48; 799, 9/8/52; 1437, 2/19/68; 1834, 3/15/76; 2023, 2/20/79; 2071, 9/17/79; 2142, 8/30/80; 2218, 11/17/81; 2350, 1/17/84; 3291; 11/16/99; 3430, 12/4/01